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WILLIAM PENN - JENNINGS PROTEST 1848

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Commonwealth of Massachusetts:

Bristol p.

New Bedford 7th Sept. 1848.

By this Public Instrument of Proof: We A. Kassar
I made manifest to all to whom these Presents shall
come, or whom they may in any way concern:

That on this Seventh day of April A.D. 1848, before
me, John A. Kassar, a Notary Public, duly commis-
sioned & sworn and dwelling at said New Bedford
personally appeared Charles S. Jennings late Second
Mate of the ship William Kenn of Falmouth, Littleton
C. Wimpenny, Master, of the burthen of about 354 tons
& states that the said Wimpenny, Master, was left by
him at the Island of Whyfootach, & the first mate
John R. Fipps had sailed from that Island for the
Island of Otaheiti, and neither of them have to the
knowledge of the Dependent yet returned to an American
Port; and that he the Dependent sailed for home from
said Island of Whyfootach, on or about the first
day of December A.D. 1847.

And the said Charles S. Jennings having been
by me duly & solemnly sworn to the truth, does upon
his oath, and according to his best knowledge, informa-
tion & belief depose & say: That

On the 19th day of July A.D. 1848 - the said ship Wil-
liam Kenn being tight strong & staunch, & properly
officered manned & provisioned and in all respects
well & duly fitted for her voyage whaling thereon:
templated, sailed from the Port of Falmouth, with the
appears on board, together with her other officers &
crew, in their several capacities, bound on a voyage
whaling to the Pacific Ocean & elsewhere: That
nothing worthy of noting occurred to the said ship
until the occurrences hereinafter stated:

That on or about the 15th of October A.D. 1847
the said ship with the appears on board left Honolulu
on a cruise for New Zealand: That on their passage
they arrived off the Island of Whyfootach aforesaid, &
touched there for some supplies on the 25th of November

1847: At about 3 o'clock P.M. they stood off
shore on the sea tack, the weather being rather squally;
& so continued till about 11 o'clock the same
Evening: At that hour they tacked in again until
about 2 o'clock A.M. tacking in towards shore:
At that time they attempted again tacking off
shore; but in so doing they mistimed, and in
trying to wear ship being in irons she soon after
struck on the Reef: This was about 2 o'clock
A.M. She first struck her larboard counter; that
held her & the sea drove her broad side on the
Reef, there being a heavy swell at the time and a
strong current setting in there: Immediately they
cut her weather rigging, and the masts went over
her side, - in order to ease the ship; but they found it
impossible to relieve the ~~ship~~ vessel; and the sea
was so heavy & the position so dangerous that
she began immediately to break up.

Finding it impossible to save the ship, &
the sea making a breach over her continually,
& finding their own lives in imminent danger
the officers & crew took to two boats, & pulled
down the reef, & succeeded in reaching the
landing, which was eight miles distant, in
safety: the ship went to pieces within an hour
after she struck, & became a total wreck:

That day they engaged the natives to help
them, & saved from the wreck about 1200 barrels
of oil, chiefly of whale oil, which, together with
the wreck, were afterwards sold at public
auction for whom it might concern: And soon
afterwards the Appraiser, leaving the Master at
the Island aforesaid, took passage in the Abraham N.
Howland for New Bedford & arrived here on the
second day of April instant.

And this Appraiser now desires to Protest
requesting an Act thereof of me, the said Notary, to avail whom
it may concern, when & when needful & necessary, declaring
that all the loss and damage sustained either by the
vessel or outfit or cargo and all loss and damage

whatsoever sustained as aforesaid were sustained
by reason of the winds waves seas shoals bars
and reefs as aforesaid, I am wholly chargeable to
the causes aforesaid, and am not owing to any fault or
negligence of the said officers or crew of the said ship
William Penn:

And in the testimony of the truth hereof
he has hereunto subscribed his name the day & year
first above written:

(Signed) Charles S. Jennings -

Whereupon I, the said Notary, at the request aforesaid
have protested by these Presents ~~do~~ protest against
the aforesaid winds waves seas shoals bars & reefs
& every other cause for all & every Damage Costs
& charges that have been sustained or may be sustained
by said cargo or by said vessel or otherwise as aforesaid,
that the same may be borne sustained sub-
mitted to and suffered by those to whom it doth
or may in anywise belong.

Thus Done & Protested by me the said
Notary at said New Bedford on the day & year aforesaid.
(Signed) Frederick M. Kaslow, Not. Pub.

I hereby Certify that the foregoing writing
is a true & faithful copy from the original Pro-
test as entered in my book of Notarial Records
and there signed by the said Jennings, the Protestant,
& by him given to be true me: And in testimony
thereof hereunto set my hand & seal Notarial
this Eighth day of April A.D. 1848.

Charges

Copy \$2.00

Subscribing 1.00 = \$3.00

Frederick M. Kaslow, N.P.



Bulfinch Com. Ins. Co.

United States of America: Dist. of Massachusetts:

Bristol p. New Bedford 15th May 1848.

Then personally before me, the within mentioned Notary,
Littleton C. Wimpenny, the Master within named, and
the said Protest being carefully read to him, did affirm
the same, under oath by me duly administered, to be
just & true according to his best knowledge & belief: and
in token thereof doth hereunto set his hand:

Littleton C. Wimpenny

Subscribed & sworn to before me, the day & year above
written:

Charges \$1.00

Frederick Kason Not. Pub.



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